

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, May 17, 2010 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, B. Pociask,

B. Ryan

Members absent: P. Plante

Alternates present: K. Rawn

Alternates absent: F. Loxsom, V. Stearns

Staff Present: Curt Hirsch (Zoning Agent)

Chairman Favretti called the meeting to order at 7:00 p.m. and appointed Rawn to act in Plante's absence.

Favretti acknowledged an e-mail from Plante stating that he would miss three or more consecutive meetings including this evening. The Commission agreed by consensus to waive the attendance requirements upon receipt of proper notice from the absentee member, as per the PZC Bylaws [Article IV, Section 1].

Minutes:

5/3/10-Hall MOVED, Pociask seconded, to approve the 5/3/10 minutes as written. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Particular attention was given to the decision letter from the Citation Hearing Officer, R. Meehan, regarding the E. Hall citations. Hirsch stated that the last trailer was removed the day of the hearing and he will continue to monitor the site to ensure no trailers re-appear.

Old Business:

1. Special Permit Application, Permanent Agricultural Retail Sales, 483 Browns Road, o/a B. Kielbania, File #1292

Hall MOVED, Holt seconded, to approve with conditions the special permit application (file 1292) of Bryan Kielbania for a farm stand and associated agricultural uses on property located at 483 Browns Road, in an RAR-90 zone, as submitted to the Commission and described in application submissions, including a 4/15/10 Statement of Use and site plans dated 3/22/10 revised through 4/19/10, and as presented at Public Hearings on April 19, and May 3, 2010. This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. This approval, which authorizes certain agriculturally-oriented commercial uses within a residential zone, is specifically tied to the application submissions and conditions cited in this motion. Unless modifications are specifically authorized, approved uses of this property are limited to those uses and activities described by the applicant, including restrictions on hours of operation. Based on May 3rd testimony by the applicant's attorney, activities and events that may generate additional traffic, such as hayrides, sleigh rides and corn mazes, shall not take place unless prior PZC approval has been obtained.

Any questions regarding authorized uses of this property shall be reviewed in advance with the Zoning Agent and Director of Planning, and as appropriate, the PZC. Any significant changes or expansions of use, shall require additional special permit approval;

2. All agricultural uses shall comply with all applicable permitted use provisions of Article VII, and other Zoning requirements. In the event existing regulations regarding on-site sales are revised, the applicant shall have the right to utilize new provisions.
3. The applicant shall be responsible for obtaining all applicable State of Connecticut approvals, including authorizations from the Department of Agriculture regarding restricted development rights on the subject property.
4. The applicant shall be responsible for meeting all applicable permit requirements from Eastern Highlands Health District and Mansfield's Building and Fire Marshal's Offices.
5. Vehicular and pedestrian safety are primary issues that will necessitate careful monitoring and management. Parking along Browns Road will reduce sightlines and may result in safety problems, as well as inappropriate neighborhood impact. Accordingly, the applicant shall be responsible for monitoring vehicular traffic into and out of the site and providing adequate on-site parking for the subject agricultural use. If, based on observed use, the PZC determines that additional on-site parking is necessary, a revised parking plan with additional spaces shall be prepared by the applicant, submitted for PZC approval and implemented by the applicant.
6. To help reduce potential neighborhood impacts an evergreen landscape buffer shall be planted along the westerly property line between the approved parking and driveway area and the adjacent residence on property N/F Loukas/Despina. Proposed plantings, including the number and species of proposed evergreen plants and planting size, shall be depicted on final plans and approved by the PZC Chairman with staff assistance. In addition, there shall be no outside speakers used in association with the proposed agriculture use.
7. Final plans shall include the following revisions:
 - A. Landscape details as required by condition #6
 - B. Notation of the estimated amount of fill that will be needed for parking areas and other site work.
 - C. More specific details regarding the surfacing of the handicap parking space and access-way to the retail sales area. State requirements for surface material shall be met.
 - D. An increase in the proposed handicap parking space width to sixteen (16) feet which is required by the State Building Code.
8. All site work indicated on final plans, including parking and driveway improvements, pedestrian access improvements, signage and buffer landscaping, shall be completed prior to the issuance of a Certificate of Compliance.
9. It is anticipated that the applicant will want to install and maintain directional signage at nearby street intersections. The PZC Chairman, with staff assistance, is authorized to approve directional signage that complies with Zoning standards.
10. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

This approval waives the front setback requirements for parking as depicted on final plans. This waiver is based on site and neighborhood characteristics. In addition, this approval

waives several site plan submission provisions of Article V, Section A.3.c., since the information submitted is sufficient to determine compliance with applicable approval criteria.
MOTION PASSED UNANIMOUSLY.

2. Draft Revisions to the Zoning Map, Zoning and Subdivision Regulations, PZC File 907-33

- a. Rezoning of Industrial Park Zone and Associated Regulation Revisions
- b. Aquifer and Public Water Supply Protection Regulations
- c. Invasive Plant Species Regulations

Item tabled, pending a Public Hearing on 6/7/10.

3. Draft Revisions to the Zoning Regulations Definitions of Family and Boarding House; Political Signs, PZC File 907-32

Item tabled, pending Public Hearing Continuation on 6/7/10.

New Business:

None.

Reports of Officers and Committees:

Chairman Favretti noted the next Regulatory Review Committee meeting will be on 5/25/10 at 2pm.

Communications and Bills:

Noted.

Adjournment:

Chairman Favretti declared the meeting adjourned at 7:18 p.m.

Respectfully submitted,

Katherine Holt, Secretary